IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN RE:

ANDREW C. ZELLER and
AMANDA J. ROLAND,

Debtors.

CASE NO. BK 10-82844
CHAPTER 13

STIPULATION RESOLVING MOTION FOR RELIEF FROM THE AUTOMATIC STAY

COMES NOW U.S. Bank, N.A., its Successors and/or Assigns (hereinafter "U.S. Bank"), by and through its attorney of record, Matthew E. Eck, and Debtors Andrew C. Zeller and Amanda J. Roland, by and through their attorney of record, Francis X. Skrupa, and hereby Stipulate as follows:

1. That Debtors filed their Petition for Relief under Chapter 13 of the United States Bankruptcy Code on September 30, 2010.

2. That U.S. Bank filed its Motion for Relief from the Automatic Stay on December 14, 2010, generally setting forth that Debtors had defaulted under the terms of their Chapter 13 Plan by failing to make their post-Petition payments directly to U.S. Bank. That Debtors filed their Resistance to said Motion on December 22, 2010.

3. That U.S. Bank and Debtors hereby agree that Debtors will resume their regular monthly payments to U.S. Bank starting with the January 1, 2011 payment.

4. That U.S. Bank and the Debtors hereby agree that the current post-Petition delinquency is as follows:

a)	3 Post-Petition Payments @ $708.91 (10/2010 – 12/2010)	$ 2,126.73
b)	3 Late Charges @ $23.79 (10/10 through 12/10)	$ 71.37
c)	Post-Petition Property Inspections	$ 70.00
d)	Bankruptcy Attorney fees and costs (Motion for Relief)	$ 800.00
	CURRENT POST-PETITION DELINQUENCY	$ 3,068.10

5. That the Debtors will cure their current delinquency of $3,068.10 owed to U.S. Bank by making six (6) consecutive monthly payments of $511.35 per month by the 20th day of each month in addition to their regular monthly payments, with the first such cure payment due January 20, 2011, and the final cure payment due on June 20, 2011.

6. That U.S. Bank and Debtors hereby agree that in the event that Debtors fail to make any future payments or the payments set forth in this Stipulation to U.S. Bank within 15 days of the due date, U.S. Bank shall be entitled to relief from the Automatic Stay, pursuant to 11 U.S.C. §362(d)(1), after giving notice to Debtors and their counsel that they have 15 days from the date of said notice in which to cure the default and then filing an Affidavit with the Court setting forth the Debtors' default and failure to cure. In the event that the Debtors convert this case to a proceeding under Chapter 7, U.S. Bank shall be entitled to relief from the Automatic Stay upon the filing of an Affidavit.

7. That U.S. Bank and Debtors further agree that in the event of any future default under this Stipulation requiring U.S. Bank's counsel to give notice to Debtors, Debtors agree to pay U.S. Bank's reasonable attorney fees in the sum of $150.00 in addition to any default amount to fully cure Debtors' arrearage under any default pursuant to this Stipulation.

8. That in the event that relief from the Automatic Stay is granted to U.S. Bank, U.S. Bank shall be allowed to exercise its rights under the Note and Deed of Trust and applicable state and other non-bankruptcy law, to allow it to foreclose its security interest in the real estate commonly known as 3920 High Meadow Lane, Omaha, Nebraska, and legally described as follows:

> LOT 5, BLOCK 8, HIGH MEADOWS, AN ADDITION TO THE CITY OF BELLEVUE, AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA.

to allow it to commence proceedings for possession of the real estate after the foreclosure sale, if necessary, to allow it to offer, negotiate, enter into and/or accept any potential forbearance agreement, loan modification, refinance agreement, short sale agreement, deed-in-lieu of foreclosure or other loan workout or loss mitigation agreements

9. That in the event that relief from the Automatic Stay is granted to U.S. Bank, Debtors hereby agree that the stay set forth in Bankruptcy Rule 4001(a)(3) shall not apply.

10. That the Court may approve this Stipulation on any terms it deems necessary.

DATED this 10th day of January, 2011.

ANDREW C. ZELLER and
AMANDA J. ROLAND, Debtors,

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Francis X. Skrupa

U.S. BANK, N.A.,
its Successors and/or Assigns,
a Secured Creditor,

By: Matt Eck
For: LOCHER PAVELKA DOSTAL
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200 The Omaha Club
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Omaha, Nebraska 68102
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meck@lpdbhlaw.com
Matthew E. Eck

CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2011, I electronically filed the foregoing Stipulation with the Clerk of the United States Bankruptcy Court for the District of Nebraska using the CM/ECF system which sent notification of such filing by electronic mail to Francis X. Skrupa, Debtors' Attorney; Kathleen Laughlin, Chapter 13 Trustee; and Patricia Fahey, Assistant U.S. Trustee, and I hereby certify that I have mailed by United States Mail, postage prepaid, the foregoing to the following non CM/ECF participant:

DEBTORS
Andrew C. Zeller
Amanda J. Roland
3920 High Meadow
Omaha, Nebraska 68147

Matt Eck
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